

REMARKS

Claims 1, 10, and 23 have been amended. Claims 4,5, 13 and 14 have been cancelled. Thus, claims 1-3, 6-12 and 15-28 are now pending in the above application. No new matter has been added. The claims have been amended to further clarify the claimed subject, and not in view of any prior art.

Claims 1-7 and 10-15 stand rejected under 35 U.S.C. § 103(a) over U. S. Patent 6,260,029 ("Critelli") in view of U.S. Patent Application Publication 2001/0020228 ("Cantu") and United States Patent No. 5,917,925 to Moore ("Moore"). Claims 1-7, 10-15, 18, 19, and 23-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Critelli in view of Cantu and U.S. Patent No. 6,571,223 to Vaghi ("Vaghi").

Applicants have amended the independent claims by eliminating the reference to the weight of the envelope. Thus, in order to meet the claims, the prior art must teach that the physical characteristic of the envelope must relate either to the date it was sealed or to its size. None of the references relied on by the Examiner shows this feature. Both Moore and Vaghi encode envelope weight, but do not encode either date of sealing or envelope size. Accordingly, withdrawal of these rejections is respectfully requested.

Claims 8, 9, 16, and 17 stand rejected under 35 U.S.C. § 103(a) over Critelli in view of Cantu, Moore, and Applicants' allegedly admitted prior art. Applicants dispute this reliance on the alleged admitted prior art. The Examiner does not cite to the specific portion of the specification containing the alleged prior art, nor does the Examiner provide any reasoning whatsoever. In order to meet the burden of establishing a prima facie case of obviousness, the Examiner is obliged to provide an explanation and, in this case, a citation to those passages in the specification that supposedly contains an admission of prior art. The same applies to the

rejection of these claims based on Vaghi.

Claims 22 and 28 stand rejected under 35 U.S.C. § 103(a) over Critelli in view of Cantu, Moore, and Officie Notice. The Examiner does not provide an explanation of his stance on Official Notice, thereby depriving Applicants of the opportunity to know the rationale for this rejection. Thus, Applicants traverse this assertion of Official Notice and, should the Examiner maintain this rejection, request that the Examiner at least make an attempt at an argument supporting this rejection.

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CONCLUSION

Accordingly, it is respectfully submitted that the Examiner erred in not allowing the pending claims 1-3, 6-12 and 15-28 over the prior art of record. Applicants respectfully request that the Examiner's rejections be withdrawn.

Respectfully submitted,

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